

AO 91 (Rev. 11/11) Criminal Complaint



UNITED STATES DISTRICT COURT

for the

Central District of California



United States of America

v.

SIU KONG SIT

Case No. 8:23-mj-00590-DUTY

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 27, 2023 in the county of Orange in the
Central District of California, the defendant(s) violated:

Code Section

18 U.S.C. §§ 2252A(a)(5)(B), (b)(2)

Offense Description

Possession of child pornography

This criminal complaint is based on these facts:

Please see attached affidavit.

☒ Continued on the attached sheet./s/ Kevin Leduc*Complainant's signature*Kevin Leduc*Printed name and title*

Sworn to before me and signed in my presence.

Date: 11/30/2023/s/ Autumn D. Spaeth*Judge's signature*City and state: Santa Ana, CaliforniaAutumn D. Spaeth, U.S. Magistrate Judge*Printed name and title*

AFFIDVAIT

I, Kevin Leduc, being duly sworn, declare and state as follows:

I. INTRODUCTION

1. I am a Special Agent with the United States Department of Homeland Security, Immigrations and Customs Enforcement ("ICE"), Homeland Security Investigations ("HSI"), assigned to HSI Orange County, California. In 2014 I was hired as a Computer Forensic Analyst. In 2017, I attended the Criminal Investigators Training Program located at the Federal Law Enforcement Training Center in Glynco, Georgia. I have participated in and/or received training in numerous investigations of criminal activity, including, but not limited to, the investigation of narcotics offenses, money laundering, fraud, child pornography, alien smuggling, and human trafficking. During investigation of these matters, I have participated in the execution of search warrants.

2. I investigate, among other things, the sexual exploitation of children and child pornography in the Central District of California as part of the Orange County Child Exploitation Task Force ("OCCETF"). The OCCETF is responsible for enforcing federal criminal statutes involving the sexual exploitation of children under Title 18, United States Code, Section 2252, et seq. As part of these investigations, I have observed and reviewed numerous examples of child pornography (as defined in 18 U.S.C. § 2256) in all forms of media, including computer media. Moreover, I am a federal law

enforcement officer who is authorized by law to conduct investigations of, and make arrests for, offenses enumerated in 18 U.S.C. §§ 2251, 2252, and 2252A.

II. PURPOSES OF AFFIDAVIT

3. This affidavit is made in support of a criminal complaint against, and arrest warrant for, Siu Kong SIT ("SIT") for a violation of 18 U.S.C. § 2252A(a)(5)(B) (possession of child pornography).

4. The facts set forth in this affidavit are based upon my personal observations, my training and experience, and information obtained from various law enforcement personnel and witnesses. This affidavit is intended to show merely that there is sufficient probable cause for the requested warrant and does not purport to set forth all of my knowledge of or investigation into this matter. Unless specifically indicated otherwise, all conversations and statements described in this affidavit are related in substance and in part only.

III. SUMMARY OF PROBABLE CAUSE

5. In February 2023, Irvine police discovered that someone had hidden cameras inside bathrooms at Beckman High School in Irvine, California. Camera footage showed SIT installing and adjusting the cameras.

6. When interviewed by Irvine police officers, SIT confessed to installing the cameras and regularly reviewing and downloading their contents. SIT allowed officers to seize and search his digital devices.

7. A forensic review of SIT's digital devices showed that he possessed numerous images and videos of child pornography, including not only images and videos downloaded from hidden cameras SIT installed but other images of child pornography that SIT likely downloaded from the Internet.

IV. DEFINITION OF TERMS

8. The following terms have the indicated meaning in this affidavit:

a. The terms "minor," "sexually explicit conduct," "visual depiction," "producing," and "child pornography" are defined as set forth in 18 U.S.C. § 2256.

b. The term "computer" is defined as set forth in 18 U.S.C. § 1030(e)(1).

c. The term "Internet" is defined as the worldwide network of computers – a noncommercial, self-governing network devoted mostly to communication and research with roughly 4.6 billion users worldwide. The Internet is not an online service and has no real central hub. It is a collection of tens of thousands of computer networks, online services, and single user components. In order to access the Internet, an individual computer user must use an access provider, such as a university, employer, or commercial Internet Service Provider ("ISP"), which operates a host computer with direct access to the Internet.

d. The term "jpg" is defined as a graphic image file, namely, a picture.

V. BACKGROUND ON USE OF COMPUTERS, THE INTERNET, AND CHILD PORNOGRAPHY

9. Based upon my training, experience, and knowledge gained from speaking with other knowledgeable officers, agents, and investigators in the investigation of child pornography, and information related to me by other law enforcement officers involved in the investigation of child pornography generally, I know the following information about the use of computers and the Internet to possess and distribute child pornography.

10. Computers and computer technology have revolutionized the way in which child pornography is produced, distributed, and utilized.

11. Child pornographers can now produce both still and moving images directly from a common video camera and can scan these images into computer-readable formats.

12. The use of digital technology has enabled child pornographers to electronically receive, distribute, and possess large numbers of child exploitation images and videos with other Internet users worldwide.

VI. STATEMENT OF PROBABLE CAUSE

13. On February 27, 2023, Adrian Ramirez, a plumber employed by the Tustin Unified School District, was conducting maintenance at Beckman High School in Irvine, California, when he noticed an unusual smoke detector hidden underneath a sink in a single-occupancy restroom near the school's aquatics center.

14. After removing the smoke detector, Ramirez saw that it contained a camera lens pointed at the toilet and was in fact a hidden camera.

15. Ramirez checked another single-occupancy restroom near the aquatics center and found another camera hidden under the sink in that restroom.

16. Ramirez alerted school officials, who contacted the Irvine Police Department. School officials explained that the school's aquatics center was often used by the public, including for children's swim meets, in addition to students and staff at the high school.

17. Investigators removed one memory card from each of the hidden cameras and reviewed their contents.

18. On the first memory card, the first recording showed the camera being placed. The second recording showed an Asian adult male, wearing glasses, adjusting the angle of the camera and then reaching across the camera.

19. Detective Nathan Ridlon reviewed the contents of that memory card and found 149 video files. He concluded that the videos showed 23 identifiable minors using the toilet and/or changing clothes, often with their buttocks and/or genitals exposed. Of the 23 identifiable minors, Detective Ridlon concluded that four were children who appeared to be under the age of 12 years old.

20. On the other memory card, Detective Gavin Hudson found 99 videos, including 12 videos showing what appeared to be teenagers or children under the age of 12 using the toilet or

changing clothes, often with their genitals and/or buttocks exposed.

21. Detective Hudson captured a screenshot of the Asian adult male seen adjusting the camera angle on the first memory card and sent it to the Beckman High School principal, who identified the individual as Siu Kong SIT, a robotics teacher at the high school.

22. On the evening of February 27, 2023, Irvine Police Department detectives approached SIT in his classroom at Beckman High School. SIT admitted that he had purchased cameras disguised as smoke detectors on the Internet so that he could record people surreptitiously. SIT admitted that he had installed the two cameras hidden in the bathrooms near Beckman High School's aquatics center.

23. SIT further admitted that he would check the contents of the cameras weekly and would often download videos that he liked to his home computer. SIT admitted that he watched and masturbated to videos that he liked. SIT explained that he was lonely.

24. SIT was arrested and signed a consent form allowing law enforcement officers to seize and search his electronics, including his cell phone and digital storage devices found in his home.

25. Officers went to SIT's apartment in Santa Ana, California, and per his consent, collected three computer towers and several additional electronic devices. It did not appear that anyone other than SIT lived at the residence.

26. I reviewed the contents of SIT's digital devices. I found dozens of images and videos captured by hidden cameras SIT apparently installed, not only in the bathrooms near the aquatics center at Beckman High School but in other bathroom locations.

27. I also found images of child pornography that do not appear to have been created by SIT, which SIT likely downloaded from the Internet.

28. For example, I found the following images of child pornography on a computer tower seized from SIT's residence:

a. 2002-01-24 (010).jpg: An image depicting a naked girl, who appears to be 10 to 12 years old, lying on her back with an adult male's erect penis inserted in her mouth.

b. 2002-04-17 (056).jpg: An image depicting a naked girl, who appears to be six to eight years old, kneeling naked on a bed between the legs of a naked adult male, with the male's erect penis inserted in the girl's mouth.

c. 2003-08-14 19-14-59 1714.jpg: An image depicting a female child, who appears to be five to seven years old, leaning over an adult male lying on his back with his penis in the child's mouth.

VII. CONCLUSION

29. Based on the above, there is probable cause to believe

that SIT has violated 18 U.S.C. § 2252A(a)(5)(B) by possessing child pornography.

Attested to by the applicant in
accordance with the requirements
of Fed. R. Crim. P. 4.1 by
telephone on this 30 day of
November, 2023.

/s/ Autumn D. Spaeth
HONORABLE AUTUMN D. SPAETH
UNITED STATES MAGISTRATE JUDGE